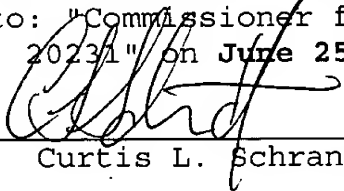




#3 DAC \$
PATENT APPLICATION

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: "Commissioner for Patents, Washington, D.C. 20231" on June 25, 2002.


Curtis L. Schrandt

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : GONZAGA, Tullio
APPL'N SERIAL NO. : 09/988,635
FILED : 11/20/2001
FOR : APPARATUS FOR THE IDENTIFICATION AND
MAINTENANCE OF TYRES AND WHEELS WITH TYRES
GROUP ART UNIT : 3617

Commissioner for Patents
Washington, DC 20231

RECEIVED

JUL 16 2002

OFFICE OF PETITIONS

PETITION UNDER 37 CFR § 1.55(c)
TO ACCEPT DELAYED CLAIM FOR PRIORITY OF FOREIGN
PATENT APPLICATION UNDER 35 U.S.C. § 119

Sir:

The undersigned attorney for Applicant hereby petitions to have accepted in the above-identified application a delayed claim for priority of a foreign patent application, i.e., Italian Patent Application No. VR2000A000115, filed November 20, 2000.

A Transmittal of Certified Copy of Foreign Patent Application, which includes Italian Patent Application No. VR2000A000115 and a claim for priority, is included herewith.

07/16/2002 AWONDAF1 00000159 09988635

01 FC:091

1280.00 DP

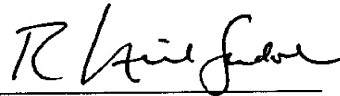
STATEMENT UNDER 37 CFR § 1.55(c)(3): The entire delay in filing the required claim for priority between the date the claim was due under 37 CFR § 1.55(a)(1) and the filing of the claim for priority made herein was unintentional.

Please note that a substitute Declaration, in which a claim for priority is also formally made, has been prepared for execution by the Inventor and will be submitted to the U.S. Patent and Trademark Office immediately upon receipt.

A check in payment of the surcharge under 37 CFR 1.17(t) in the amount of One-Thousand-and-Two-Hundred-and-Eighty Dollars (\$1,280) is enclosed.

Please credit any overpayment or charge any additional fees due in connection with this communication to Deposit Account No. 04-0838. A copy of this Petition is enclosed herewith for deposit account charging purposes.

Respectfully submitted,



R. Neil Sudol
Reg. No. 31,669

Dated: June 25, 2002

Coleman Sudol Sapone, P.C.
714 Colorado Ave.
Bridgeport, Connecticut 06605-1601
203-366-3560

#2



PATENT APPLICATION

CERTIFICATE OF MAILING

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Curtis L. Schrandt

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APPL'N SERIAL NO. : 09/988,635
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FOR : APPARATUS FOR THE IDENTIFICATION AND
MAINTENANCE OF TYRES AND WHEELS WITH TYRES
GROUP ART UNIT : 3617

Commissioner for Patents
Washington, DC 20231

PETITION UNDER 37 CFR § 1.183
TO SUSPEND RULE

Sir:

Enclosed herewith are a Petition under 37 CFR § 1.55(c) to accept a delayed claim for priority of a foreign patent application under 35 U.S.C. § 119 and a check in the amount of One-Thousand-and-Two-Hundred-and-Eighty Dollars (\$1,280) in payment of a surcharge under 37 CFR 1.17(t).

Applicant hereby petitions the Commissioner to suspend, in the interest of justice, the application of 37 CFR § 1.55(c)(2) requiring payment of the surcharge under 37 CFR 1.17(t).

07/16/2002 AWONDAF1 00000159 09988635

02 FC:122

130.00 OP

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JUL 16 2002

OFFICE OF PETITIONS

R23-002
09/988,635

The delay in making a claim for foreign priority in this application was due to circumstances that were extraordinary in nature.

The extraordinary circumstances, which involve the temporary emergency U.S. Postal Service Express Mail delivery protocol that was established in the aftermath of the September 11, 2001 event and during the anthrax-laden mail emergency, are as follows:

1. On November 19, 2001, we prepared an application transmittal for this application, which included a formal claim for priority of Italian Patent Application No. VR2000A000115, filed November 20, 2000. A copy of that transmittal form is enclosed herewith.
2. We deposited the application with the Express Mail Service of the U.S. Postal Service ("USPTO"), under Express Mail Tracking No. EL 890535096 US, on November 19, 2001, including a check in the amount of \$410.00 and a return postcard receipt, both dated November 19, 2001. Copies of the Express Mail Receipt, check and postcard are enclosed.
3. Late in the business day on November 20, 2001, which was the one-year convention deadline for filing this application in order to claim priority of Italian Patent Application No. VR2000A000115, filed November 20, 2000, we received the entire application back from the USPS with a letter explaining that it would not deliver the application to the U.S. Patent and Trademark Office ("PTO") in Washington, D.C. due to "additional security measures implemented at this location," which we later discovered was due to the extraordinary anthrax-laden mail situation. A copy of the letter from the USPS is enclosed.

4. Immediately upon receipt of the USPS letter and application documents, we prepared a new application transmittal letter for telefax delivery with the application to an associate in Washington, D.C., who would attempt to hand-deliver the application on our behalf to the PTO before it closed in order to meet the one-year filing deadline. Copies of the new application transmittal and the filing receipt from the PTO, both dated November 20, 2001, are enclosed herewith.
5. In our haste to prepare a new transmittal, necessitated by the late refusal of the USPS to deliver the application to the PTO, we inadvertently omitted the claim for priority to the Italian Patent Application.

Please note that the Declaration filed in this application, a copy of which is enclosed herewith, failed to identify the application. We expected to soon receive a notice to file missing parts. Had the Declaration been duly rejected, the claim for priority of the Italian Patent Application would have been incorporated in a substitute declaration, filed most likely prior to the deadline for claiming priority pursuant to 37 CFR § 1.55(a)(1)(i). Under the circumstances, we did not notice the omission of the priority claim in the application until we had occasion to prepare a Transmittal of Certified Copy of Foreign Patent Application, which is enclosed herewith.

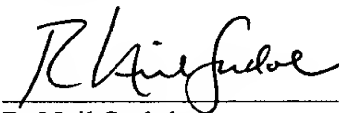
Also please note, a substitute Declaration, which correctly identifies the present application and includes a formal claim for priority, has been prepared for execution by the Inventor and will be submitted to the U.S. Patent and Trademark Office immediately upon receipt.

Due to the extraordinary situation surrounding the unintentional omission of a claim of priority in this application, the Applicant requests suspension, in the interest of justice, of the application of 37 CFR § 1.55(c)(2) requiring payment of the surcharge under 37 CFR 1.17(t) for delayed filing of a claim for priority of a foreign application.

A check in payment of the petition fee under 37 CFR 1.17(h) in the amount of One-Hundred-and-Thirty Dollars (\$130.00) is enclosed.

Please credit any overpayment or charge any additional fees due in connection with this communication to Deposit Account No. 04-0838. A copy of this Petition is enclosed herewith for deposit account charging purposes.

Respectfully submitted,



R. Neil Sudol
Reg. No. 31,669

Dated: June 25, 2002

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